

APPROVED MINUTES
LOUISIANA CLERKS OF COURT ASSOCIATION
CLERKS ONLY MEETING
WEDNESDAY, MAY 3, 2017
BATON ROUGE, LA
9:30 a.m.

The Louisiana Clerks of Court Clerks Only Meeting was held on the above date at the Louisiana Clerks of Court Association Building and called to order by President David Dart. Steve Andrews gave the opening prayer and Brian Lestage led the Pledge of Allegiance.

Secretary Bridget Hanna called roll and the following members were present:

Bridget Hanna, Darlene Landry, Connie Couvillon, Brian S. Lestage, Cherie Cox, Brian Flynn, Jeremy Evans, Douglas Welborn, David Dart, Randy Briggs, Michael Thibodeaux, Amy Patin, Laura Culpepper, Jon Gegenheimer, Annette Fontana, Steve Andrews, David Stamey, Arthur Morrell, Louise Bond, Kim Turlich-Vaughan, Robin Hooter, Becky Patin, Melissa Henry, Diane Meaux Broussard, Jeff Skidmore, Holli Vining, Mark Graffeo, and Felicia Ann Hendl.

Also present: Executive Director Debbie Hudnall, Frank Borne, and Jason Harris.

WELCOME

President David Dart welcomed everyone to the meeting. He thanked everyone who attended the Clerk's Legislative Day at the Pentagon Barracks and stated that the event was a success. He gave an update on legislation for the advanced deposits bill and recording bill. He also stated that he will call Clerks directly when their Senator or Representative sits on a committee in which one of our bills will be heard.

SUPPLEMENTAL FUND

Executive Director Debbie Hudnall told the Clerks that there has not been an increase in the amount per suit collected for the supplemental fund in four years. She presented several different scenarios if there was an increase in the amount paid per suit. She stated that she also presented these numbers to Chairman Randy Deshotel. At the present time, 65 clerks participate in the fund. She explained that a deficit has been budgeted recently because a surplus had built up in the fund. After the presentation and some discussion, Darlene Landry made a motion to increase the amount per suit to \$17.00 with a cap of \$4,400.00 and a \$50.00 per month raise for a total of \$1950.00 per month to the Clerks effective July 1, 2017. Motion seconded by Mike Thibodeaux. Motion passed without opposition.

LEGISLATION

Executive Director Debbie Hudnall gave an update on legislation:

HB 129- Provides relative to small successions. She reported that the amount of small successions would increase from \$75,000 to \$150,000. A compromise was reached to increase small successions to \$150,000 but repeal the section of the law that the costs would be reduced by 50% and include that the costs would be \$125 for a small succession and any succession with a value over \$75,000 that is filed as a judicial proceeding will be charged full court costs. This bill has passed through committee and is now going to the house floor.

HB 249- Provides relative to the payment of fines, fees, costs, restitution, and other monetary obligations related to an offender's conviction. She stated we are opposing this bill.

HB 270- Provides relative to marriage license applications. This matter is scheduled for next week.

HB 325- Provides relative to the repayment or retention of unused court costs. This bill passed through committee and the house floor. The State Treasurer has opposition to the bill and it will now be going to Judiciary A.

SB 236 - Recording bill passed out of committee unanimously. Bankers & title companies are in support of the bill. It was amended to change the 2nd tier from 6-20 pages to 6-25 pages. Also Debbie put in an amendment to put the burden on the filer as to who has to redact personal information. There may be some opposition to the redaction part and it may have to be removed. This bill will be going to the Senate Floor.

HB 219- Provides relative to the discharge of bail obligations and bond forfeiture judgments. Debbie reported that all parties will still have to be notified for bench warrants except defendants. She also stated that Clerks will not be required to send out notices to any party in which they have not been provided the contact information.

HB 336- Creates a Diversion Oversight Committee to examine district-attorney operated diversion programs statewide. Debbie stated that this is a bill that Clerks may want to follow.

HB 94- Authorizes all district courts to establish reentry courts. Debbie gave an overview of this bill and stated that Clerks may be interested in the outcome of this bill.

HB 120- Provides for an increase in service fees for Sheriff's in civil matters. Debbie stated that they are asking for an increase in fees from \$20 per document to \$30 per document.

HB 141- Provides that a court in a juvenile delinquency case notify the superintendent of the school system where the child is enrolled that there is a pending juvenile case. Debbie stated that this bill states that the "court" notify the superintendent but she wanted to make everyone aware of this bill in the event that the court orders the Clerk of Court to notify the superintendent.

OTHER BUSINESS

President David Dart stated that during the 2016 Regular Session the Clerk of Court Statewide Filing System Task Force was created to study and make recommendations for the implementation of a statewide electronic filing system for civil pleadings. Lynn Jones serves as Chair with Dale Atkins serving as Vice-Chair. He said that he would also like the Clerks to consider the possibility of having a statewide electronic filing system for criminal pleadings.

Executive Director Debbie Hudnall reminded everyone that May 15th is the deadline to file personal financial disclosures unless you have filed for an income tax extension. She stated that you are required to file an affidavit by May 15th if you filed for an income tax extension.

Brian Lestage, Chairman for the Scholarship Committee reported that the committee met yesterday and he explained the procedure that was used to select scholarships. He also stated that the children of deputy clerks in parishes that paid the \$10 fee for deputies to be associate members were eligible along with the children of Clerks. There was approximately \$10,000 in the scholarship fund and the committee awarded \$8,000 in scholarships. There were a total of 18 applicants and 12 recipients. The following scholarships were awarded this year:

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| Elizabeth Gilly, St. Tammany Parish | \$1,500.00 |
| Nicole Kall, Orleans Parish – Civil | \$1,000.00 |
| Jared Tabor, St. James Parish | \$1,000.00 |
| Emery Gilly, St. Tammany Parish | \$1,000.00 |
| Alexis Doyle, St. Landry Parish | \$ 500.00 |
| Krisxan Bell, Bienville Parish | \$ 500.00 |
| D'Shaina Smith, Ascension Parish | \$ 500.00 |
| Merrit Jones, Calcasieu Parish | \$ 500.00 |
| Cole Hebert, Rapides Parish | \$ 500.00 |
| Bria Turner, East Baton Rouge Parish | \$ 500.00 |
| Garrett Sellers, Rapides Parish | \$ 500.00 |
| Maddie Landry, Pointe Coupee Parish | \$ 500.00 |

Debbie will send letters out to the recipients informing them that they have received this scholarship.

Debbie reported that the Assessors contacted her and asked to meet with the Clerks and Sheriffs Association to find out if the Legislative Auditor has the authority to force our offices to comply with the agreed upon statewide procedures.

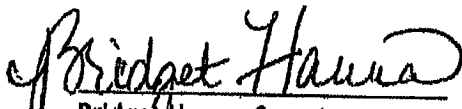
Mark Graffeo asked if anyone uses an imprinted seal in lieu of a raised embossed seal. Jon Gegenheimer stated that his office does and they have an attorney general's opinion which allows this practice.


OTHER COMMENTS

Arthur Morrell spoke about HB 381 which specifies the exact number of employees (90½) that the city of New Orleans shall appropriate funding for and pay to the office of Clerk of the Orleans Parish Criminal District Court. He stated that this which would greatly affect his office. He will be emailing the Clerks with information on this bill and asked for the support of the Clerks and requested that they pass this information on to their Legislators.

President Dart encouraged everyone to sign up for the Clerks conference to be held July 17-20 at the Golden Nugget in Lake Charles.

There being no further business, Brian Lestage made a motion to adjourn, seconded by Steve Andrews. Motion passed without opposition.


Bridget Hanna, Secretary


David Dart, President